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REMARKS

The Official Action dated November 3, 2005 has been received and its contents carefully noted. In view thereof, claims 3 and 9 have been canceled in their entirety without prejudice nor disclaimer of the subject matter set forth therein while claims 1, 4-8 and 11 have been amended in order to better define that which Applicants regard as the invention. Accordingly, claims 1, 2, 4-8 and 10-13 are presently pending in the instant application.

Initially, Applicants wish to acknowledge the Examiner's indication on page 6 of the Office Action that claim 13 is allowable over the prior art of record while claims 3-6 and 8-12 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph set forth in the Office Action. As can be seen from the foregoing amendments, each of previous independent claims 1 and 7 have been amended to include subject matter indicated as being allowable by the Examiner. Particularly, independent claim 1 has been amended to include the subject matter of previous dependent claim 3 while independent claim 7 has been amended in order to include the subject matter of previous dependent claim 9. Accordingly, it is respectfully submitted that each of independent claims 1 and 7 as well as claims 2, 4, 5, 6, 8, 10, 11 and 12 which depend either directly or indirectly from independent claim 1 are now in proper condition for allowance.

With reference now to paragraph 1 of the Office Action, the Examiner states that the Oath or Declaration is defective, and that a new Oath or Declaration in compliance with 37 C.F.R. §1.67(a) identifying this application by application number and filing date is required. Specifically, the Examiner states that the Oath is defective in that it does not identify the foreign application for patent or inventor certificate on which priority is claimed pursuant to 37 C.F.R. §1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day,

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month and year of its filing period. In this regard, it is noted that the present application and the executed Declaration was accompanied by an Application Data Sheet which included all information referred to by the Examiner as being required. Accordingly, it is respectfully submitted that the present Declaration is proper. For the Examiner's convenience, a copy of the Application Data Sheet accompanies the present Response to the Official Action.

With reference to section 2 of the Office Action, the disclosure has been objected to as including minor informalities. As can be seen from the foregoing amendments, those informalities noted by the Examiner have been cured and consequently it is respectfully submitted that Applicants' specification is now in proper formal condition for allowance.

With reference to sections 3 and 4 of the Office Action, claims 1 and 11 have been objected to as including minor informalities. In this regard, as can be seen from the foregoing amendments, independent claim 1 has been amended as suggested by the Examiner. Further, with respect to dependent claim 11, as suggested by the Examiner, dependent claim 11 now properly depends from dependent claim 10 in order to provide proper antecedent basis for the structure referred to end. Accordingly, it is respectfully submitted that each of claims 1 and 11 are now in proper formal condition for allowance.

With reference to section 6 of the Office Action, claims 3-6, 8 and 10-12 have been rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants' regard as the invention. Specifically, the Examiner notes in claim 3, lines 9 and 10 "is to be fixed" is recited. As can be seen from the foregoing amendments, the phrase "to be" has been deleted from the subject matter of previous dependent claim 3 included in independent claim 1 and consequently it is respectfully submitted that independent claim 1 as well as those claims which depend therefrom are now in proper formal condition for allowance.

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With reference now to section 8 of the Office Action, claims 1 and 2 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,547,300 issued to Watanabe et al. This rejection is respectfully traversed in that the patent to Watanabe et al. neither discloses nor suggests that which is presently set forth by Applicants' claimed invention.

Again, as can be seen from the foregoing amendments, independent claim 1 has been amended to include the subject matter of previous dependent claim 3 which has been indicated as being allowable by the Examiner. Accordingly, it is respectfully submitted that independent claim 1 as well as those claims which depend are now in proper condition for allowance and further discussion with respect to the merits of the rejection is no longer believed to be warranted.

With reference to paragraphs 10 and 11 of the Office Action, claims 1 and 2 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,647,611 issued to Boyd et al. in view of U.S. Patent No. 6,547,300 issued to Watanabe et al. and claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Boyd et al. in view of Watanabe et al. as applied to claims 1 and 2 and further in view of U.S. Patent No. 5,570,931 issued to Kargilis et al. This rejection is likewise respectfully traversed in that the combinations proposed by the Examiner neither disclose nor suggest that which is presently set forth by Applicants' claimed invention.

Again, as can be seen from the foregoing amendments, independent claim 1 has been amended to include the subject matter of previous dependent claim 3 and independent claim 7 has been amended to include the subject matter of previous dependent claim 9, each of which have been indicated as being allowable over the prior art of record by the Examiner. Accordingly, it is respectfully submitted that Applicants' claimed invention as set forth in

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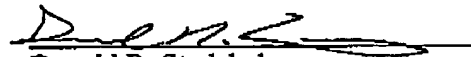
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each of independent claims 1 and 7 as well as those claims which depend therefrom clearly distinguish over the prior art of record and are in proper condition for allowance. Accordingly, further discussion with respect to the merits of the rejection is no longer believed to be warranted.

Therefore, in view of the foregoing it is respectfully requested that the objections and rejections of record be reconsidered and withdrawn by the Examiner, that claims 1, 2, 4-8 and 10-13 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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